

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

**DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF CALLAWAY GOLF
COMPANY'S REPLY IN SUPPORT OF ITS MOTION FOR A NEW TRIAL AND
JUDGMENT AS A MATTER OF LAW**

I, Thomas L. Halkowski, declare as follows:

1. I am a principal of Fish & Richardson P.C., counsel of record in this action for Callaway Golf Company. I am a member of the Bar of the State of Delaware and am admitted to this Court. I have personal knowledge of the matters stated in this declaration and would testify to them under oath if called upon to do so.

2. Attached as Exhibit A is a true and correct copy of U.S. Patent 5,538,794.

3. Attached as Exhibit B is a true and correct copy of U.S. Patent 6,613,843.

4. Attached as Exhibit C is a true and correct copy of the DuPont Data Sheet for Surlyn® 7930.

5. Attached as Exhibit D is a true and correct copy of excerpts of unadmitted PX-429.

6. Attached as Exhibit E is a true and correct copy of excerpts from Plaintiff Callaway Golf Company's First Set of Requests for Admissions to Defendant Acushnet Company [Nos. 1-42], dated September 14, 2006.

7. Attached as Exhibit F is a true and correct copy of excerpts from the file history of U.S. Patent 5,000,458.

8. Attached as Exhibit G is a true and correct copy of excerpts from the pre-trial hearing transcript, dated March 3, 2010.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of June, 2010 at Wilmington, Delaware.

/s/ Thomas L. Halkowski

Thomas L. Halkowski

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2010, I electronically filed with the Clerk of Court
DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF CALLAWAY
GOLF COMPANY'S REPLY IN SUPPORT OF ITS MOTION FOR A NEW TRIAL
AND JUDGMENT AS A MATTER OF LAW using CM/ECF which will send
electronic notification of such filing(s) to the following Delaware counsel. In addition,
the filing will also be sent via electronic mail:

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/s/ Thomas L. Halkowski

Thomas L. Halkowski